



Stanly County Planning Board
February 7, 2023 - Meeting Minutes

Call to Order Chair Jay Eckman called the meeting to order on February 7, 2023 at 6:30 p.m. in the Partnership for Children meeting room at 1000 N. First Street, Albemarle, North Carolina.

Stanly County Planning Board members attending David Underwood, Tim Fesperman, Jay Eckman, Kevin Brickman, Joel Mauldin, TJ Smith & Michael Williams

Absent: none

Stanly County Planning Staff Attending Bob Remsburg, Planning Director & Bailey Emrich, Planner 2

Chair Eckman asked if there were any conflicts of interests with the case to be heard due to financial or personal relationships.

There were none

Chair Eckman asked if there were any other additions that the board needed to consider.

There were none.

Chair Eckman asked for a motion to approve the proposed agenda.

Motion: David Underwood

Second: T.J. Smith

Approved: 7-0

Chair Eckman asked for a motion to approve the minutes from November 14, 2022.

Motion: Michael Williams

Second: Kevin Brickman

Approved: 7-0

Chair Eckman shared that the board will consider four text amendment requests. The first item is a request by Planning Department staff to amend section 601.1 and 617.1 of the Stanly County Zoning Ordinance to permit temporary use of camper trailers in Manufactured Home Parks.

Chair Eckman invited county staff to share the details of this request.

Bob Remsburg shared the following:

We have had this request from a couple of different manufactured home park owners. It is kind of related to two different factors. One is the continued need for more places for contractors to park their campers and the other is for manufactured home parks that have vacancies to have an additional source of revenue. It would allow an existing manufactured home park on 10 or more acres to rent out a space for a camper for 10 months. We've had this brought to us from the manufactured home park owners. Environmental Health is pretty clear that you can only hook up one camper per existing system. Obviously, they would have to have their connections like you would in a campground. Everything will have to meet code. The other wording in this would be only hard sided campers. There would not be any pop up campers or tents. The parks are inspected annually, which is every 12 months. That is when a note would be made of the campers that are there and then there would be a violation because it has been over that 10 month period.

Campers would have to meet the RV campers association and national fire protection standards. You cannot bring a homemade camper or something that's 50 years old and doesn't meet code. Every camper that is accepted and produced now generally has that RVIA label on it. That guarantees some amount of fire safety. That was one of the concerns I had about this was fire safety because they don't meet minimum housing and they don't meet HUD. This was a way to meet some of those standards. You will see that we have a slash through 617.1 and that is the Mobile Home Park section of the zoning ordinance. Reviewed that this afternoon and discovered that we do not have a mobile home park in Stanly County that is in a mobile home park district. All parks in Stanly County are in the RA district. The ordinance was created in 2000 and the last Mobile Home Park was approved in 1999. The ordinance for a new mobile home park is pretty extensive.

David Underwood "Is this not the same thing we did down in Oakboro?"

Bob Remsburg "It is similar but that was in the General Business district and was for contractors."

TJ Smith "This is to allow campers that are not meeting minimum housing to be set up temporarily in a park? Who makes sure that they are temporary and what certifies them to be temporary?"

Bob Remsburg "Obviously that becomes tricky as the park owners are responsible for that. You track who is in and out. That is a rule in the campground ordinance, 10 months. All we have are Norwood and Cotton Patch Gold Mine for campers."

David Underwood "So you said 10 contiguous months, but what happens if I pull out and leave? I can just move a spot down and park again?"

Bob Remsburg "Possibly."

TJ Smith "Do we have the power to do a text amendment on that?"

Bob Remsburg "Yes, this is a suggested language. So, if you think something needs to be amended you have the power to do that."

TJ Smith “ I am not against a trailer at all, I grew up in one. I just know how some of these people will take full advantage of this. I know in my world that becomes tricky and can be nothing but trouble. I say that from a law enforcement perspective also. There needs to be some type of rules if we can do it. People will throw them in there like dice and stack them up.”

Chair Eckman invited Anthony Efird to speak on the request.

Anthony Efird “My mobile home park probably needs some work done on it. One reason I haven't done work on it is because I am wanting to see what is going to come out of this. I have mobile homes that are sitting empty. I am not going to rent a mobile home to somebody with a lot of work that needs to be done. I had one renter that owned her own mobile home and it was in horrible shape and I was talking to her for a year to get her somewhere else to live. In that park I am looking to tear down four mobile homes. I am looking to have another income come in with what I have got already. I want to make it a good facility because I live one mile away from it. I got one park that has 11 spots in it. It is all on one tract. I have another one that has 32 spots in it and some of those are empty. I haven't been trying to get just anyone in there but I have good people in there. The county has people who are coming in and looking for a place to put a camper while they are working on these big projects. I have not put one camper in my park, but there are campers in parks in Stanly County already. I refuse to do it without getting the right approvals. The day that it is passed I will start work on what I need to do. I know that y'all expanded so that the park in Oakboro could do it and the Gold Mine was also expanded. There is nowhere besides Morrow Mountain to put a camper, but this would be an option for someone to rent. If you all pass this I will make mine presentable.”

TJ Smith “As long as it is done right but the problem is there are some who will take full advantage if we do not put these rules in place. That is my only worry.”

David Underwood “Are you using existing lots or creating new lots?”

Anthony Efird “I will tell you what I would like to do. I have a small park that is 11 lots. My goal is to take the best mobile homes from that park and move them. I would like to take that one park and use it just for campers. For the bigger parks, I would just make one section for the campers.”

David Underwood “Do you charge a set up fee?”

Anthony Efird “No, there is no set up fee.”

David Underwood “So, I could just take my camper and move it down a few spots if I don't like my spot?”

Anthony Efird “Or you could go to another park. You were talking about these construction jobs and some of those do last for a year.”

Chair Eckman asked for a motion from the Board to recommend approval or denial to amend section 601.1 of the Stanly County Zoning Ordinance to permit temporary use of camper trailers in Manufactured Home Parks.

Motion: TJ Smith made a motion to approve the temporary use of camper trailers in Manufactured Home Parks.
Second: Michael Williams

The Board discussed the item

Chair Eckman “My thoughts are I am not opposed to it at all but I think we need to clean up some of that stuff by moving to a different lot and resetting the clock for that. If it is 10 months and you move to a different lot does that time start over?”

Bob Rensburg “We do an annual inspection on Mobile Home Parks and so my thought there is that when that is done we probably will take a picture of every camper in the Mobile Home Park so we know what lot they are on.”

Michael Williams “Where did that 10 months come from?”

Bob Rensburg “It is in the campground section of 407.5.”

Michael Williams “The concern that I have there with the 10 months is how would we handle it if a construction project goes for a year and a half?”

TJ Smith “Are we opening the door for the people who want to do it wrong?”

Bob Rensburg “The language in the campground ordinance says that no camper trailer can remain on the same campsite for longer than 10 months in a 24 month period.”

David Underwood “So, that means only the campsite so they could move to another spot in the campground.”

David Underwood “So, say I am in my camper for 14 months and you find out. What are you going to do to me?”

Bob Rensburg “We don't do anything to you, we do it to the park owner. We will cite him and fine him. 50 dollars the first day everyday then 200 dollars a day and then 500 dollars a day.”

Chair Eckman “What about requiring a permit for this and then there is a permit for when they have to be out of there.”

Bob Rensburg “We could do that.”

Anthony Eifrd “If you have people coming in on a weekend and then you are talking about a permit that won't work.”

Chair Eckman “Okay so then it would be more like a campground because it would be just for a weekend and not an extended period of time.”

Bob Rensburg “We can require a zoning permit but that means every time someone goes to set up in the park they will have to come up here to get a compliance permit. A campground keeps a log just

like you would if you were a hotel. So in a way we could say that part of the inspection is that we see the log of people registered.

David Underwood “The elephant in the room is not the guy who comes in to stay for a weekend or the guy that is working for a construction company. It is the guy who will take advantage of you and get a dilapidated camper and move into it.”

Anthony Efirid “I don't think most of them can afford 30 dollars a day. It is 900 a month.”

TJ Smith “I feel like the compliance form is the only way that you will be able to manage something like this. I don't see an issue. It is so much more when you buy or rent a house. The least they could do is fill out a form. This man wants to do the right thing. There are some on our side of the county who will take full advantage of this.”

David Underwood “The decision we make now affects things for a long time.”

Tim Fesperman “We certainly want workers to come in and do the projects. We want people to have places to go. Some of those who will take advantage. You have to manage it and I don't know how you do it.”

Tim Fesperman “Do any other counties allow for this?”

Bob Remsburg “I am unsure, I will have to look.”

Jay Eckman “I think the feeling is that we are okay with it, we are just trying to figure out how to do it correctly.”

Bob Remsburg “We can add to what is written here, a line that says something to the effect of those who rent lots for campers shall quarterly or semi annually present a log of tag numbers and lot numbers. Part of the point of the ordinance is so that people are not set up permanently. The way it is written they could move to the next site over.”

Joel Mauldin “I am going to go back to what he was saying earlier about what he charges a month for them to be there. That is a lot of money and they are not going to just leave that thing sitting there. To come up with a cut and dry way to do this is hard.”

TJ Smith “I think that we do something like a picture or a form that we put together with the required information and the landowner keeps it. The text amendment says there is a required annual inspection. I like the picture of the camper and the form of every bit of information identifying the camper. I think that will keep people honest and easier to manage.”

Tim Fesperman “I believe there needs to be something to track them but whatever we do is not going to be perfect. I can certainly see people coming in here and working. I know several people who have RVs and take them and stay in them. This makes sense to do it but how we do it, I don't want to be over burdensome not only for the parks but the county. I don't think annual inspections will catch much. We are complaint driven so if someone calls we need to hold their feet to the fire.”

David Underwood “Are we in agreement that the quarterly thing would work?”

Bob Remsburg “Yea, some language like each mobile home park shall submit quarterly a log identifying trailers and assigned lots and the dates the lots were occupied which are to be submitted to the Planning Department with photo.”

TJ Smith amended his motion to approve the request of the temporary use of camper trailers in mobile home parks with additional language requiring each mobile home park to submit quarterly a list to the Planning Department which identifies camper trailers and assigned lots along with the dates set up with photographic evidence.

Second : Kevin Brickman

Approved : 7-0

Chair Eckman shared that the commissioners will address this at the hearing on March 6, 2023.

Chair Eckman introduced the second item on the agenda is a request by Planning Department staff to make a Text Amendment to section 407.2 (E) and (F) of the Stanly county zoning ordinance to permit the temporary use of camper trailers during the construction of a primary residence.

Bob Remsburg shared the following:

This is a question we have had so many times... at least 2-3 times a week. The question is posed: can I put a camper on my property while I am building my home and the traditional answer is no, go to a campground. There are other jurisdictions that do this but are generally allowed in the case of a severe emergency and sometimes it gives the authority to the Planning Director to declare it is a unique situation that requires this. This would require zoning compliance and would have to have an active building permit. If it expires and they do not continue construction they cannot keep living there. What we put down is no longer than 2 consecutive 6 month periods.

Tim Fesperman “We tried this a time or two on exception for hardship cases. But what you allow when you do that is a 50 amp service for the camper and sewer hook up. You may tell them once the home is built that the trailer has to be moved. But the 50 amp circuit and the sewer hook up is still there so now they have their home and the camper. It gets complicated.

Chair Eckman “I know some people who have done this because their materials were being stolen while they were not there.”

Tim Fesperman “It costs a significant monetary penalty for what we did.”

Joel Mauldin “Once you pull that building permit and get your temporary saw service for the home but you dont allow for the septic you make them pump it all. That gives incentive for them to get the home done. The saw service will also have to be gone. You wont get a CO on your home if you are still running a saw service to your home. 15 months to me is sufficient time. People are on a budget and don't want to spend 1500 dollars a month for a rental. So if you have to pump this thing out every month that will give you the incentive. That is dictated by your permit when you pull it that day.”

Bob Remsburg “We would require a permit with the thought being that when you do this it will be an accessory structure.”

Tim Fesperman “When we did it the guy moved into his home then started renting out the trailer. We took action against it and we lost.”

Joel Mauldin “Someone is always going to try and do it regardless.”

Jay Eckman “People are doing this anyway so why not make rules about it and enforce it.”

Bob Remsburg “I will point out that I told Craig Hatley whenever he asked about it that we are complaint driven and no one would know about it unless it was called into our office. But they wanted to be by the book about it and I can appreciate that.”

David Underwood “If you get caught what is the penalty?”

Bob Remsburg “It goes back to what we said earlier regarding the fines per day. If you have guests come in for the weekend and have no room for them to stay and you want them to stay in the camper then have at it we probably won't get a call.”

David Underwood “The problem with any rule is that if we make a rule and they abide by it then you can't get me out of it. Maybe it is best if we don't make a rule about it right now. Is this something that really needs to be done?”

Tim Fesperman “What other counties do this?”

Bailey Emrich “I would say that there is a need for it and it is all about how you enforce it and write the rule. Like you said, people are going to do what they want to do at the end of the day but I would rather them do it with rules in place that they have to abide by.”

Bob Remsburg “When the housing market was so hot there was nowhere for anyone to go and they had the land but could not use the camper.”

TJ Smith “How many calls do you get a month to do this?”

Bailey Emrich “I would say at least 20 per month.”

Jay Eckman “Can we see what is going on in these other counties first and what restrictions they have as far as how they handle the sewage?”

Bob Remsburg “We do hear people who say that there was a mobile home here so I know there is a septic system. Can I tie into that with my camper while I build my home? Which all relies on Environmental Health.”

Motion: David Underwood made a motion that this be tabled until more research is done regarding what surrounding counties allow.

Second : TJ Smith

Tabled : 7-0

Chair Eckman introduced the third item on the agenda, a request by the Planning Department staff to amend section 409.4 of the Stanly County Zoning Ordinance to reduce the required width of a parking space from 10 feet to 9 feet.

Bob Remsburg shared the following:

This is from Senate Bill 372 which will amend our ordinance to say that it can't be smaller than 9 feet. I cannot enforce the 10 by 20 rule.

Tim Fesperman “If you say you have to have X number of parking spaces per square feet per building then they can't be any larger than 9 feet?”

Bob Remsburg “We can't require them to be larger than 9x20.”

Motion: David Underwood made a motion that the board recommends approval of the proposed text amendment regarding the reduced width of parking spaces from 10 feet to 9 feet in section 409.4 of the Stanly county Zoning Ordinance.

Second: Joel Mauldin

Approved: 7-0

Chair Eckman shared that the County Commissioners will consider this request at their March 6, 2023 meeting.

Chair Eckman introduced the fourth item on the agenda request by the Planning Department Staff to amend section 701 to require parcels in the RA zoning district to have 40,000 square feet minimum if water or sewer is not available and 30,000 square foot minimum if water and sewer are available and to require 15,000 and 20,000 square foot or larger lots for parcels where both water and sewer are not available in the R10 and R20 Residential zoning districts respectively.

Bob Remsburg shared the following:

Let me try to explain this. So the current language for R20 allows 15,000 square foot lots if you have water or sewer available. If you have neither available it has to be 20,000 square feet. This language would require water and sewer availability to be 15,000 square feet. The idea is that if you don't have water and sewer it has to be the larger size. What I have generally been told by Environmental Health is that if you have good dirt then the minimum lot to fit a repair area and septic system is 15,000 square feet. That is part of the reason and it goes back to the discussion we had with the Land Use Plan.

Tim Fesperman “So you can do a septic tank and a well at 20,000 square feet?”

Bob Remsburg “It is tight but it can be done if the dirt is good. That has to be zoned R20. Most of the county is zoned RA. Currently under the RA zoning it did not have that language it basically said you can have a 30,000 square foot lot and that is all you need unless you are in the watershed area. If you are in the watershed you have to have 40,000 square feet. This does change that so that if you are in the RA district and do not have water or sewer then you have to have 40,000 square foot lots.

Joel Mauldin “If you are going to the RA and you have water but not sewer then you are 40,000 square feet still?”

Bob Remsburg “Correct.”

Joel Mauldin “Well, that's not right.”

Bob Remsburg “It does change it to 40,000 square feet. 43,560 is an acre so it is a little less than an acre. So it would significantly change what we are able to do. If you have one or the other you are going to have to have the larger lot size because both are not provided.”

Joel Mauldin “There are no exceptions to that, correct?”

Bob Remsburg “If someone wants to rezone to R20 to get a smaller lot size then that can be done. The only other option would be to do a conditional zoning or apply to the Board of Adjustment for a variance.”

David Underwood “The whole theory behind this was to protect the outside parcels in the county, protect the density and the rural character of the county. That is why it was done. You try to push the growth to the transportation corridors.”

Bob Remsburg “There is always a twist in this which comes from the Land Use Plan is to come up with a conservation subdivision. If you do large tracts of land you run the risk of making it cookie cutter where it may make more sense to have a 1 acre tract and a 15 acre tract. If David had a 10 acre tract towards Aquadale and he wanted to give one acre to his daughter and sell the rest, if we make this 5 acres then he has to split the whole ten acres into two 5 acre tracts. It becomes a challenge to find out what really works.

Kelly Hart “It was my understanding when we were doing the Land Use Plan that there was still something in there where if someone had the ten acres then they could give their child an acre to build on without it being an issue.”

Bob Remsburg “You can only do that one time. The way it is written now you can give your child a tract less than ten acres one time and it has to be on an easement with no road frontage on a state road. This is why we have to be careful about how we mold all of this. That was written 20 years ago but that exception is in there. I understand why it is not road frontage because it does preserve the look from the road.”

Joel Mauldin “Sometimes you have to find a way around the rules because you get pushed in a corner when you say 5 acres or only an acre. I want my son to be able to afford a house but you put these restrictions on this then by the time you weigh all of the cost from the government down it gets to a point where you have nothing. I am not saying affordable housing but that is what it is. People need to afford it but if you make it to where the whole county cannot do anything but a 5 acre tract then it makes cubby holes everywhere.

Chair Eckman “I was talking with someone about this not too long ago about the 5 acre rule and they said so what you’re going to have is people come in and buy up large tracts of land and build large houses on it because those are the only people who will be able to afford it.”

Joel Mauldin “There are people who are able to afford to do that but the young person who is just coming out and wants to build a home with an affordable mortgage. You are looking at something that is 1500 square feet but you can't put that on 5 acres and make it affordable.”

Tim Fesperman “People are running out of options. You talk about 900 dollars a month to park a travel trailer. In my day, a 900 dollar house payment would be ludicrous.”

Kelly Hart “But do you want the country side covered up with 1500 square foot houses that don't pay enough taxes to support themselves, that have kids going into the school system. There is more involved in it than worrying about one situation.”

Joel Mauldin “But y’all are encompassing the whole county by wanting this. If you look from the city to the lake in the watershed. When you have someone dictating that I couldn't cut off 3 or 4 lots and I had to have 5 acres. There needs to be a compromise in there somewhere and I don't see it.”

Bob Remsburg “The reason that I did suggest this to you is a step towards that but we are not yet prepared to take the big step to 5 acres because other things will have to change as well.”

David Underwood “I see this as a work in progress.”

Bob Resmburg “I do too and that is why I thought this may be an easy step to take. There are really two components to this. One is the requirements for water and sewer that need to be available for the R20 lots and smaller lots. The way it was worded was water or sewer. For RA it simply says 40,000 and 30,000 for anything in the watershed. This is partly why we ended up with 16 lots in Millingport because he looked at it and realized he was able to add lots to what was already there because of the minimum lot size.

Kelly Hart “Do you have 200 homes on half acre lots beside you with septic tanks? What is that going to do to your water and your land?”

Joel Mauldin “Well you could give me hypothetical situations like that all day. But one of the things that are happening is water and sewer is something we need more of. So in the areas that you have water that takes a lot of that stress off of your system. If you want to keep everything agricultural and nothing happens then that would be great but that is not realistic.”

David Underwood “I don't think that is what we are looking for. I think we are trying to control it but there is just a question of how you put the brakes on it.”

Joel Mauldin “That is fine but there also needs to be a way for people to have an opportunity and for those who own their land to do something with it. I am not saying every farm needs to be developed. But don't you think the person who can't afford a 5 acre tract but wants to build a home should have the right to do that?”

Kelly Hart “I am not saying that they don't have the right to something, but they can go to the municipalities as far as I am concerned. I have seen too much in Stanly and Cabarrus County where they come in and build inexpensive homes on small lots and over half of it is rental property and it turns into an area that Mr. Smith gets to visit quite often.”

Joel Mauldin “Okay, well how do you judge that? If you look at it right now and who is buying all of this rental property it has been big corporations but the point is there is a way to control that and I think it is one per case basis.”

Kelly Hart “All I know is that I was on the Land Use committee and we did a lot of work and spent a lot of time. The Planning Board approved the Land Use Plan and the Commissioners approved the Land Use Plan and in my opinion and a lot of other people we need to head towards that plan being in the ordinances. I have talked to a lot of people to say that even though it is not in the ordinances yet, the Land Use Plan since it has been approved should at least be considered when you are looking at things. No point in going back over things that have already happened, but it had already been approved and would have been approved if it hadn't been postponed when another thing was done that in my opinion should not have been done and in my opinion is creating a mess. A development that is over 100 homes with one entrance onto a small road that is not in good shape. To me that

should have never gone through and I know that you were all here and did it but it should have never gone through. I have talked to people with fire, emergency services and DOT and they say that none of them were involved or included in it.”

Tim Fesperman “Could you just tell me what I did wrong, what I voted to do wrong because I don't know what you are talking about.”

Kelly Hart “You know exactly what I am talking about, the item that was approved on November 14 to expand the development on Renee Ford and River Road. There is one entrance into that development. There are already 40 homes there and they are getting ready to build more.”

Tim Fesperman “We really could not turn that down because the Land Use Plan had not passed yet so we had no other option.”

Kelly Hart “I understand that the ordinances have not been changed but the Land Use Plan has been adopted and should have been considered. What about the way in? Do you want to live back there in that development with all of that in between, under a power line? My fear is not what that is right now. I understand that y'all went by the ordinances, I just felt like it should have been considered.”

TJ Smith “I think this is a deeper discussion than what we are trying to debate. We understand your passion but I feel like this needs to be a bigger discussion.”

Kelly Hart “None of this can be changed until the ordinances are changed which were fully passed in November and nothing has changed yet and I know it takes time.”

TJ Smith made a motion to table item #4

Second : Joel Mauldin

Approved: 7-0

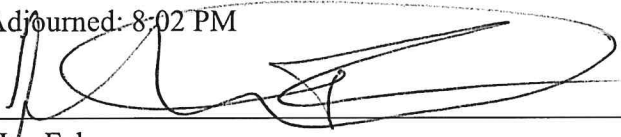
Chair Eckman entertained a motion to adjourn.

Motion: TJ Smith

Second: Tim Fesperman

Approved: 7-0

Time Adjourned: 8:02 PM



Chair, Jay Eckman



Clerk, Bob Remsburg